

\* \* \*"; (circular headed "Double-Action") "While the medicine is acting on your upper organs, \* \* \* and bloodstream"; (circular headed "To the Millions of Men and Women") the design of a healthy man and the statements, "Yours for health \* \* \* 'I've made millions of sick people feel better!' Here is a picture of the man who has manufactured and sold more medicine than any other man alive today! He was a sickly youth—suffering from stomach pains when still a schoolboy. He consulted scores of stomach specialists—underwent innumerable treatments for stomach, bowel, liver and kidney ills. Finally he took up the study of medicine himself and evolved a formula of natural herbs and other medicaments which became the world's largest selling medicine! \* \* \* Van-tage—the medicine you have just bought. I originated this formula 25 years ago to relieve my suffering from stomach gas, bloating, and kindred ailments. \* \* \* My own medicine made me well \* \* \* I combined herbs that would stimulate the liver to release its bile \* \* \* other herbs to cleanse impurities from the bowels—and still others to stimulate the stomach to proper digestion of food. \* \* \* it made a new man of me! \* \* \* My remarkable restoration to health caused much talk. Many other stomach sufferers came to me; begging for my secret. I gave my medicine freely to friends and strangers—and because of its wonderful success with other people, because of the letters of thanks and praise I received, I decided to make this medicine available to everyone. \* \* \* Think of it—Millions of men and women—who were half living, dragging listlessly through life racked with pain—unable to eat and drink—unable to enjoy the fullness of life. \* \* \* it helped them \* \* \* you who take my improved Van-tage will get even greater help in your fight to regain health. To the millions of men and women who have been helped by my medicines—\* \* \* take the treatment systematically and let its beneficial action continue over a long enough time to get results. This medicine has helped millions of others. Give it a fair trial and it will help you.'"

On March 12 and 23, 1936, no claimant having appeared in either case, default decree of condemnation, forfeiture, and destruction was entered in each case.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**26154. Misbranding of Diatone. U. S. v. 15 Packages of Diatone, and another libel proceeding against 7 packages of the same article. Default decree of condemnation, forfeiture, and destruction in each case. (F. & D. nos. 37107, 37108. Sample nos. 56333-B, 56334-B.)**

Unwarranted therapeutic and curative claims were made for this article.

On January 24, 1936, the United States attorney for the Western District of Kentucky, acting upon reports by the Secretary of Agriculture, filed in the district court two libels praying seizure and condemnation of 22 packages of Diatone at Louisville, Ky., alleging in each libel that the article had been shipped in interstate commerce on or about November 21, 1935, by Diabetic Diatone, Inc., Chicago, Ill., from that place to Louisville, Ky., and charging in each case misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Carton and bottle label) "Diatone An Oral Treatment for the Control of Diabetes."

Analysis showed that the article consisted essentially of a starch digestant, such as pancreatin, salt, and clay.

Misbranding of the article was charged in each case under the allegation that upon the packages of both sizes thereof there appeared the following statements regarding the curative or therapeutic effect of the article, and that the said statements were false and fraudulent: "Diatone An Oral Treatment for the Control of Diabetes Indicated for the treatment of diabetes without a starvation diet. At regular intervals both blood and urine tests should be made by the attending physician, who will regulate the diet and other necessary forms of treatment as may be needed. Suggested Dose 1 tablet 30 minutes before meals and at bedtime with a glass of water. In severe cases the dose may be increased if necessary. In most cases it will be possible to decrease the dose as the treatment progresses. \* \* \* When urine is sugar-free and blood sugar content becomes normal 1 or 2 tablets should be taken regularly every day. Diatone."

On March 9, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered in each case.

HARRY L. BROWN, *Acting Secretary of Agriculture.*